

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEBRASKA

IN THE MATTER OF: ) CASE NO. BK04-81489  
                        ) CHAPTER 11  
                        )  
Furnas County Farms, )  
                        )  
                        )  
Debtor.                 )

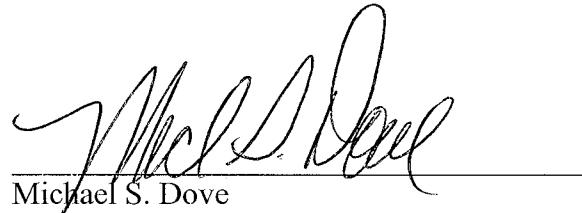
**AFFIDAVIT OF MICHAEL S. DOVE IN SUPPORT OF  
EMERGENCY MOTION FOR RECLAMATION**

STATE OF NEBRASKA      )  
                            )  
                            ) ss.  
COUNTY OF DOUGLAS      )

Michael S. Dove, after having been first sworn under oath, does hereby state and allege the following to be true and accurate to the best of his/her personal knowledge and information:

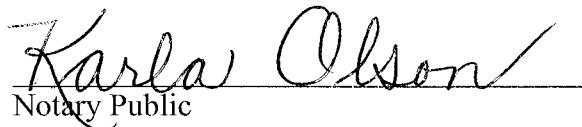
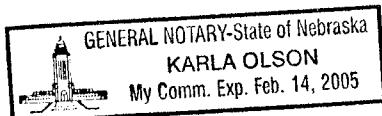
1. I am of lawful age and am personally acquainted with the facts stated herein.
2. I am a partner in the law firm of Gislason & Hunter, LLP, in New Ulm, Minnesota and one of counsel to creditor, Hubbard Feeds Inc.
3. On April 29, 2004, I sent a Reclamation Notice to Debtor in this case. A true and correct copy of the Notice is attached hereto as Exhibit "A" and incorporated herein by reference.

FURTHER AFFIANT SAYETH NOT.



\_\_\_\_\_  
Michael S. Dove

SUBSCRIBED AND SWORN to before me, a notary public in and for said County and State, this 4th day of May, 2004.



\_\_\_\_\_  
Karla Olson  
Notary Public

**GISLASON & HUNTER LLP**  
ATTORNEYS AT LAW

OF COUNSEL  
Donald F. Hunter<sup>3</sup>  
James H. Malecki  
Ruth Ann Webster

NEW ULM MINNEAPOLIS MANKATO MAPLETON DES MOINES

Sidney P. Gislason  
(1908-1985)  
Robert M. Halvorson  
(1945-1993)  
C. Allen Dosland  
(Retired)

Daniel A. Gislason<sup>†</sup>  
C. Thomas Wilson  
Marlin R. Kunard  
David D. Alsop  
Barry G. Vermeer<sup>1\*</sup>  
Gary W. Koch<sup>1,2</sup>  
Timothy P. Tobin<sup>2\*</sup>  
Roger H. Gross<sup>\*</sup>  
David W. Sturges<sup>4†</sup>  
R. Stephen Tillitt<sup>4†</sup>  
Mark S. Ullery  
Jeff C. Braegelmann  
Reed H. Glawe<sup>1</sup>  
Wade R. Wacholz<sup>1</sup>  
Noel L. Phifer  
Laura L. Myslis<sup>1</sup>  
Andrew A. Willaert<sup>1</sup>  
Daniel A. Beckman  
Steven J. Vatndal<sup>2\*\*</sup>  
Michael S. Dove  
Dustan J. Cross<sup>1</sup>  
James R. Gowling<sup>1</sup>  
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Loree A. Nelson<sup>5</sup>  
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Peter D. Favorite  
Sara N. Wilson  
Christopher P. Rosengren  
Kathleen M. Loucks  
Matthew P. Kostolnik  
Angela B. Forsythe<sup>†</sup>  
Sarah M. Aho  
Dan J. Hoehn<sup>†</sup>  
J. Vincent Stevens  
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Also admitted in:

<sup>1</sup>Iowa  
<sup>2</sup>Wisconsin  
<sup>3</sup>Illinois  
<sup>4</sup>Admitted only in Virginia  
<sup>5</sup>Admitted only in Iowa  
\* Civil Trial Specialist  
\*\* Real Property Law Specialist  
certified by the Minnesota  
State Bar Association  
† Qualified ADR Neutral

**VIA FACSIMILE AND U.S. MAIL**

Mr. Matt T. Cronin  
BELIN, LAMSON, McCORMICK,  
ZUMBACH, FLYNN  
The Financial Center  
666 Walnut Street, Suite 2000  
Des Moines, Iowa 50309-3989

Mr. Joseph H. Badami  
WOODS &AITKEN  
301 South 13<sup>th</sup> Street  
Suite 500  
Lincoln, NE 68508

Re: Furnas County Farms – Reclamation Claim of Hubbard Feeds Inc.  
Our File No. 18064-001-128

Gentlemen:

Please be advised that Hubbard Feeds Inc. (“Hubbard”) hereby makes claim pursuant to Minn. Stat. § 336.2-702 and/or Neb. Rev. Stat. U.C.C. § 2-702, for the right of reclamation against all goods shipped to Furnas County Farms and/or Sand Systems, Inc. (collectively “Furnas”) during the applicable reclamation period established by Minn. Stat. § 2-702 and/or Neb. Rev. Stat. U.C.C. § 2-702. These goods include, but are not limited to, feed and nutritional products shipped by Hubbard to Furnas under the following invoice numbers on the dates indicated:

Invoice No.	Ship Date	Invoice Total
80 58507	4-22-04	3,486.95
39 52495	4-22-04	3,012.94
65 45548	4-23-04	574.55
65 45551	4-23-04	2,110.50
65 45453	4-22-04	3,362.85
65 45550	4-23-04	1,363.44
65 45563	4-23-04	1,756.78
65 45564	4-23-04	28,108.48
39 52525	4-23-04	1,215.22
39 52379	4-21-04	3,204.08
39 52380	4-21-04	3,301.41

**EXHIBIT**

**A**

**GISLASON & HUNTER LLP**  
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Mr. Matt T. Cronin  
April 29, 2004

<b>Invoice No.</b>	<b>Ship Date</b>	<b>Invoice Total</b>
65 45454	4-21-04	3,421.63
65 45409	4-21-04	10,493.12
39 52379	4-21-04	3,204.08
39 52364	4-16-04	3,173.65
80 58507	4-22-04	3,486.95
39 52363	4-16-04	3,785.07
39 52448	4-20-04	3,462.15
39 52384	4-20-04	2,890.27
39 52382	4-22-04	3,477.60
39 52386	4-19-04	2,493.56
39 52385	4-19-04	4,886.47
39 52381	4-22-04	2,603.08
39 52365	4-16-04	2,789.28
39 52362	4-16-04	4,378.92
39 52360	4-16-04	3,151.92
39 52361	4-16-04	5,012.50
39 52366	4-16-04	4,890.34
39 52429	4-20-04	1,044.61
39 52282	4-12-04	1,742.79
39 52243	4-16-04	3,363.98
39 52244	4-16-04	3,363.98
39 52207	4-15-04	2,104.33
39 52205	4-9-04	3,114.14
39 52203	4-9-04	3,203.92
39 52213	4-16-04	3,243.60
39 52212	4-8-04	2,166.00
39 52206	4-15-04	4,223.76
39 52211	4-16-04	5,031.12
39 52324	4-14-04	2,624.50
39 52322	4-14-04	1,268.28
39 52242	4-16-04	3,475.66
39 52245	4-16-04	3,479.53
39 52210	4-16-04	3,325.82
39 52204	4-15-04	3,850.97
80 58483	4-20-04	3,078.68
65 45519	4-21-04	2,331.00
65 45509	4-21-04	4,391.10
39 52380	4-21-04	3,301.41
39 52383	4-22-04	2,890.27
39 52448	4-20-04	3,462.15
39 52384	4-22-04	2,890.27
39 52360	4-16-04	3,151.92

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Mr. Matt T. Cronin  
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<b>Invoice No.</b>	<b>Ship Date</b>	<b>Invoice Total</b>
39 52361	4-16-04	5,012.50
39 52366	4-16-04	4,890.34
39 52382	4-22-04	3,477.60
39 52429	4-20-04	1,044.61
39 52362	4-16-04	4,378.92
39 52365	4-16-04	2,789.28
39 52381	4-22-04	2,603.08
39 52385	4-19-04	4,886.47
39 52386	4-19-04	2,493.56
39 52363	4-16-04	3,785.07
39 52364	4-16-04	3,173.65
39 52210	4-16-04	3,325.82
39 52242	4-16-04	3,475.66
39 52210	4-16-04	3,325.82
39 52242	4-16-04	3,475.66
39 52245	4-16-04	3,479.53
39 52211	4-16-04	5,031.12
39 52213	4-16-04	3,243.60
39 52243	4-16-04	3,363.98
39 52244	4-16-04	3,363.98
80 58386	4-16-04	3,512.36
65 45440	4-20-04	1,230.62
65 45510	4-21-04	4,289.22
65 45362	4-16-04	14,683.62
80 58616	4-26-04	12,347.72
39 52495	4-22-04	3,012.94
39 52525	4-23-04	1,215.22
65 45534	4-23-04	1,426.80
39 52513	4-29-04	2,542.37
39 52537	4-23-04	4,193.26
39 52538	4-26-04	2,062.96
39 52539	4-26-04	3,142.10
39 52557	4-26-04	685.92
65 45421	4-26-04	3,788.38
39 52509	4-25-04	4,897.85
80 58616	4-26-04	12,347.72
39 52511	4-26-04	4,307.49
65 45611	4-26-04	1,457.48
39 52517	4-27-04	2,842.10
65 45535	4-27-04	10,674.03
65 45617	4-27-04	2,044.80
39 52494	4-27-04	5,816.45

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Mr. Matt T. Cronin  
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<b>Invoice No.</b>	<b>Ship Date</b>	<b>Invoice Total</b>
39 52496	4-27-04	4,480.96
39 52510	4-27-04	4,178.92
39 52512	4-27-04	3,129.15
39 52515	4-27-04	2,745.00
39 52514	4-28-04	3,168.14
39 52597	4-28-04	992.06
65 45653	4-28-04	112.56
65 45422	4-28-04	12,432.38
65 45660	4-28-04	1,384.44
39 52615	4-28-04	2,991.87
65 45536	4-28-04	10,431.20
39 52511	4-26-04	4,307.49
39 52509	4-26-04	4,897.85
39 52557	4-26-04	685.92
39 52537	4-23-04	4,193.26
39 52513	4-29-04	2,542.37
39 52538	4-26-04	2,062.96
39 52539	4-26-04	3,142.10
39 52617	4-29-04	2,971.95
39 52516	4-29-04	3,160.88
80 58671	4-29-04	3,445.83
39 52618	4-28-04	2,439.84
Total:		<b>\$448,260.37</b>

Demand is hereby made for the return of the goods identified above. The invoices are available for your review, upon your request.

Hubbard sold the goods to Furnas in the ordinary course of Furnas' business, which Furnas has received while insolvent. The goods have a value of \$448,260.37.

Very truly yours,

Michael S. Dove

MSD:kkg

cc: Mr. Vince Baack (via facsimile)  
Mr. Trent Bausch (via facsimile)